

DFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Patrick J. Sweeney
 Title: SPINAL DISC PROSTHESIS SYSTEM
 Appl. No.: 10/619,757
 Filing Date: 07/15/2003
 Art Unit: 3738

CERTIFICATE OF MAILING
 I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date below.

Michelle Manning
(Printed Name)
(Signature)
July 30, 2004
(Date of Deposit)

AMENDMENT TRANSMITTAL

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a Preliminary Amendment and Supplemental Information Disclosure Statement in the above-identified application.

[X] The fee required for additional claims is calculated below:

	Claims As Amended	Previously Paid For	Extra Claims Present	Rate	Additional Claims Fee
Total Claims:	37	-	27	= 10 x \$18.00	= \$180.00
Independent Claims:	8	-	5	= 3 x \$86.00	= \$258.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
				CLAIMS FEE TOTAL	= \$438.00

	EXTENSION FEE TOTAL:	\$0.00
<input type="checkbox"/> Statutory Disclaimer Fee under 37 C.F.R. 1.20(d):	\$110.00	\$0.00
CLAIMS, EXTENSION AND DISCLAIMER FEE TOTAL:		<u>\$438.00</u>
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):	\$219.00
		<u>TOTAL FEE:</u>
		<u>\$219.00</u>

Please charge Deposit Account No. 50-2350 in the amount of \$219.00. A duplicate copy of this transmittal is enclosed.

A check in the amount of \$219.00 is enclosed.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-2350. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-2350. If any extensions of time are needed for timely acceptance of papers submitted herewith, applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 50-2350.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

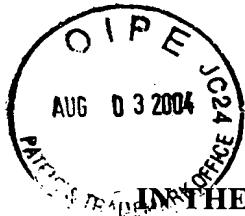
Date July 30, 2004

By



Michelle Manning
Attorney for Applicant
Registration No. 50,592

FOLEY & LARDNER LLP
Customer Number: 23524
Telephone: (608) 258-4305
Facsimile: (608) 258-4258



Atty. Dkt. No.:029815-0101

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<hr/> Michelle Manning <hr/> (Printed Name)	
 <hr/> (Signature)	
<hr/> July 30, 2004 <hr/> (Date of Deposit)	

PRELIMINARY AMENDMENT UNDER 37 CFR 1.115

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Prior to examination of the present Application, Applicant respectfully request that the application be amended as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this document.

Remarks/Arguments begin on page 9 of this document.

Please amend the application as follows:

08/04/2004 CNGUYEN 00000041 10619757

01 FC:2202 90.00 OP
02 FC:2201 129.00 OP